

AO 91 (Rev. 11/11) Criminal Complaint

FILED

UNITED STATES DISTRICT COURT

for the

Western District of Texas

2017 DEC 12 PM 1:45

CLERK OF COURT
WESTERN DISTRICT OF TEXAS

BY: KIC

United States of America

v.

PATRICK DONOVAN RAWLS

Case No.

1:17-M-763

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 2017 through September 2017 in the county of Williamson in the
Western District of Texas, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 2251

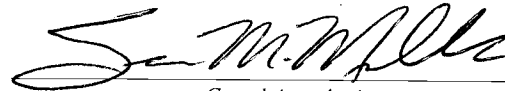
Sexual Exploitation of Children / Advertising of Child Pornography

18 U.S.C. § 2252A

Distribution / Receipt / Possession of Child Pornography

This criminal complaint is based on these facts:

See attached affidavit.

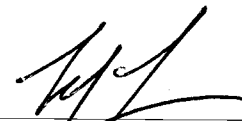
☒ Continued on the attached sheet.

Complainant's signature

SEAN M. MULLEN, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 12-12-2017City and state: Austin, Texas

Judge's signature

Mark Lane

United States Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

SEALED

UNITED STATES OF AMERICA,

Plaintiff.

v.

PATRICK DONOVAN RAWLS,

Defendant.

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CRIMINAL NO. 1:17-M-763

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Sean M. Mullen, being duly sworn, state as follows:

1. I have been employed as a Special Agent (SA) of the Federal Bureau of Investigation (FBI) since November 2003. I am currently assigned to the Austin Child Exploitation Task Force located in the Austin Resident Agency of the San Antonio Field Office. As such, I investigate federal criminal violations related to crimes against children, including the production, trafficking, and possession of child exploitation material, child sex trafficking, and the abduction of children. Through formal and on the job training, I am experienced in crimes involving the sexual exploitation of children. As a Federal Agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States. I have participated in the execution of numerous search warrants for documents and other evidence, including computers and electronic media, in cases involving child pornography and the sexual exploitation of children.

2. This affidavit is submitted in support of a criminal complaint against PATRICK DONOVAN RAWLS ("RAWLS" or "Defendant"), year of birth 1965, for violations of Title 18,

United States Code, Section 2251 and 2252A.

3. Title 18, United States Code, Section 2251(a) states, in relevant part:

(a) Any person who employs, uses, persuades, induces, entices, or coerces any minor to engage in, or who has a minor assist any other person to engage in, or who transports any minor in or affecting interstate or foreign commerce, or in any Territory or Possession of the United States, with the intent that such minor engage in, any sexually explicit conduct for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting a live visual depiction of such conduct, shall be punished as provided under subsection (e), if such person knows or has reason to know that such visual depiction will be transported or transmitted using any means or facility of interstate or foreign commerce or mailed, if that visual depiction was produced or transmitted using materials that have been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer, or if such visual depiction has actually been transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or mailed.

4. Title 18, United States Code, Section 2252A states, in relevant part:

(a) Any person who—

(1) knowingly mails, or transports or ships using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means, including by computer, any child pornography;

(2) knowingly receives or distributes—

(A) any child pornography that has been mailed, or using any means or facility of interstate or foreign commerce shipped or transported in or affecting interstate or foreign commerce by any means, including by computer; or

(B) any material that contains child pornography that has been mailed, or using any means or facility of interstate or foreign commerce shipped or transported in or affecting interstate or foreign commerce by any means, including by computer;

(3) knowingly—

(A) reproduces any child pornography for distribution through the mails, or using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means, including by computer; or

- (B) advertises, promotes, presents, distributes, or solicits through the mails, or using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means, including by computer, any material or purported material in a manner that reflects the belief, or that is intended to cause another to believe, that the material or purported material is, or contains—
 - (i) an obscene visual depiction of a minor engaging in sexually explicit conduct; or
 - (ii) a visual depiction of an actual minor engaging in sexually explicit conduct;

* * * * *

- (5) either—
 - (A) knowingly possesses, or knowingly accesses with intent to view, any book, magazine, periodical, film, videotape, computer disk, or any other material that contains an image of child pornography that has been mailed, or shipped or transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means, including by computer, or that was produced using materials that have been mailed, or shipped or transported in or affecting interstate or foreign commerce by any means, including computer;
- (6) knowingly distributes, offers, sends, or provides to a minor any visual depiction, including any photograph, film, video, picture, or computer generated image or picture, whether made or produced by electronic, mechanical, or other means, where such visual depiction is, or appears to be, of a minor engaging in sexually explicit conduct—
 - (A) that has been mailed, shipped, or transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means, including by computer;
 - (B) that was produced using materials that have been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer; or
 - (C) which distribution, offer, sending, or provision is accomplished using the mails or any means or facility of interstate or foreign commerce, for purposes of inducting or persuading a minor to

participate in any activity that is illegal;

shall be punished as provided in subsection (b).

5. This affidavit is based on my personal knowledge as well as reports made by other FBI agents and law enforcement officers. Because this affidavit is being submitted for the limited purpose of establishing probable cause for the issuance of the complaint, it does not contain every fact known to me or other agents of the FBI.

FACTS

6. On or about April 29, 2017, using a BitTorrent software package available only to trained and licensed law enforcement officers, I identified a computer on a publicly available BitTorrent file sharing network as a potential download candidate for files believed to constitute child pornography. Specifically, the IP address 70.121.91.110 (the "Target IP Address") was identified as possibly sharing a Torrent file which contained data files with hash values of known images and videos of suspected child pornography. I directed my investigation to the computer at the Target IP address because it had been detected as containing files of interest by investigators conducting keyword searches or hash value searches for files related to child pornography.

7. Between April 29, 2017 and May 1, 2017, numerous files were downloaded directly from the Target IP Address, which was recorded along with the date, time, and hash value of each file transfer. The device associated with the Target IP Address was the sole candidate for each download, meaning each file was downloaded directly from this IP Address. Three of the downloaded files that constitute child pornography are described as follows:

File Name	File Description
701b4c7743256620e5bf5d3400f5a4fb - 5yo fatman girl oral pthc sound.mp4	A video file, approximately 7 minutes and 44 seconds in length, depicting a prepubescent female under the age of 12, performing oral sex on an adult male. At

	one point the adult male picks up the minor female and shows her vagina to the camera.
3da751415da76cf558d03144355f1040 - girl gracel hmm man melissa music petting pthc set03p5 sound vaginal.mpg	A video file, approximately 5 minutes and 33 seconds in length, depicting an adult male sexually assaulting two prepubescent females, under the age of 12, by inserting his penis into each child's vagina during the video.
7ed54019beb9e1b53baf4dc75ba0f62c - girl hmm judyan man oral petting pthc set17p1 sound_of_silence vaginal.mpg	A video file, approximately 4 minutes and 43 seconds in length, depicting an adult male sexually assaulting a prepubescent female, under the age of 12, by having the minor female perform oral sex on him, inserting his penis into the minor female's vagina, and having the minor female masturbate him.

8. Investigation determined the Target IP Address was registered to Time Warner Cable. In response to legal process issued on or about May 3, 2017, Time Warner Cable identified the subscriber for the Target IP Address on April 29, 2017 and May 1, 2017, at the time of the connections on those dates as PATRICK RAWLS at RAWLS' residence in Cedar Park, Texas.

9. On September 28, 2017, FBI Agents and other law enforcement officers executed a federal search warrant at Defendant RAWLS' residence in Cedar Park, Texas. Defendant was present at the residence. During the execution of the search warrant, a Lenovo IdeaCentre desktop computer was found in the study in the residence. The computer contained a 2 TB Seagate ST2000DM001 hard disk drive bearing serial number W1E26RME.

10. Upon initial seizure of the evidence, forensic examiners were unable to conduct a preliminary examination of the evidence due to hardware failure. As such, the Seagate hard disk drive was sent to the Digital Forensics and Analysis Section Laboratory in Quantico, Virginia. Computer Analysis and Response Team (CART) examiners in Quantico, Virginia were able to

recover the data from the Seagate hard disk drive and provided a forensic image of the drive to Your Affiant. An examination of this forensic image revealed more than 400 video files and 4,000 image files depicting child pornography. All of these files were stored the folder C:\Users\Pat\Desktop\111. Inside this folder was another folder labeled "Shower". Inside the "Shower" folder were three video files and one JPEG file. All three of the video files depict Defendant RAWLS appearing to hide a camera in his master bathroom. The camera is positioned to exclusively view the shower in the bathroom. In each video, after RAWLS places the camera, a minor female¹ (referred to as "MINOR VICTIM") is depicted in the nude, entering the shower, and showering. RAWLS' face is partially depicted while he is setting up the camera in two of the videos. The video labeled IMG_0260.MOV is approximately 34 minutes and 37 seconds in length and depicts the MINOR VICTIM engaging in sexually explicit conduct as defined by Title 18, United States Code, Section 2256(8). The EXIF data from IMG_0620.MOV revealed the video was filmed with an Apple iPad in September 2017 and contained GPS coordinates which when mapped were consistent with the location of RAWLS' residence. I have compared the videos to photographs taken during the execution of the search warrant referred to in paragraph 9 and believe the bathroom depicted in the videos to be the master bathroom at Defendant RAWLS' residence in Cedar Park, Texas

11. The following is a description of three of the files found in the "111" folder and it's subfolders on the hard disk drive, which constitute child pornography as defined in Title 18, United States Code, Section 2256(8):

File Name	File Description
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¹ I know the identity of the minor female (referred to as "MINOR VICTIM") but have not fully identified her in this affidavit to protect her identity and rights.

7ed54019beb9e1b53baf4dc75ba0f62c - girl hmm judyan man oral petting pthc set17p1 sound_of_silence vaginal.mpg	A video file, approximately 4 minutes and 43 seconds in length, depicting an adult male sexually assaulting a prepubescent female, under the age of 12, by having the minor female perform oral sex on him, inserting his penis into the minor female's vagina, and having the minor female masturbate him.
Pthc-Rona Cum In Face.mpg	A video file, approximately 24 seconds in length, depicting prepubescent female lying on her back without a shirt on while an adult male straddles her. The minor female is masturbating the adult male until he ejaculates on the minor female.
1797.jpg	An image file depicting a prepubescent female partially clothed lying on her back with her hands and legs bound together by a white rope. Her knees are bent exposing her genitals.

12. At the time the search warrant was executed at Defendant RAWLS' residence, RAWLS voluntarily agreed to be interviewed by the FBI. Prior to the initial interview, RAWLS was informed that he was not under arrest and was free to leave. Among other things, RAWLS stated the following during the interview:

a. RAWLS admitted to possessing child pornography on the Lenovo IdeaCentre computer in the study. RAWLS further advised the child pornography he had downloaded would be found in the folder "111" on his desktop on the hard drive in the Lenovo IdeaCentre desktop computer in the study.

b. RAWLS used uTorrent to search for and download child pornography. RAWLS would use search terms, such as "susie" to find child pornography.

c. RAWLS admitted he knew uTorrent was a file sharing program that would share files on his computer with others on the uTorrent network. RAWLS would try to stop people from downloading from him by terminating their connections when he saw them.

d. RAWLS stated he did not have a specific age preference but he mostly viewed child pornography of 16 to 17 year old boys and girls. .

e. RAWLS stated he knew downloading, possessing, and sharing child pornography was wrong and illegal but he could not stop because of his addiction.

f. RAWLS stated he would view pornography, including child pornography, every two or three days, late at night into the early morning hours after his family went to bed. RAWLS would view the pornography between 30 minutes and two hours at a time. RAWLS would then go to the shower and masturbate.

CONCLUSION

20. Based on the foregoing, there is probable cause to believe that PATRICK DONOVAN RAWLS has committed the offenses set forth in the attached Criminal Complaint.

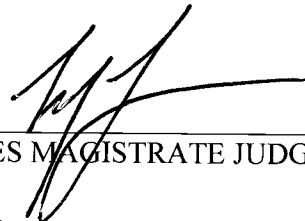
FURTHER AFFIANT SAYETH NAUGHT.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.



SEAN M. MULLEN
Special Agent
Federal Bureau of Investigation
Austin, Texas

Subscribed and sworn to before me at Austin, Texas, on this 12th day of
December, 2017.



UNITED STATES MAGISTRATE JUDGE

Mark Lane
United States Magistrate Judge